

IN THE CLAIMS

Kindly cancel claims 2-8 and 12, without prejudice, and amend claims 1, 9, 10 and 11 as shown in the following claim listing:

1. (currently amended) A method of determining at least one marking element on a substrate (1), characterized in that at least one fictitious marking element (5) on the substrate (1) is determined from design data of the substrate (1), where the fictitious marking element (5) is unique for a predefined area of the substrate (1), and in that the fictitious marking element (5) is obtained from the selection of at least two circles where the position of the circles relative to each other is determined.

2. (cancelled)

3. (cancelled)

4. (cancelled)

5. (cancelled)

6. (cancelled)

7. (cancelled)

8. (cancelled)

9. (currently amended) A method as claimed in claim ~~8~~ 1, characterized in that the position of the centers of the two circles is selected.

10. (currently amended) A method as claimed in claim 8 1, characterized in that the position of two selected circles is compared with positions of other sets of at least two circles to find out whether the two selected circles are unique for the predefined area of the substrate.

11. (currently amended) A method of determining at least one marking element on a substrate (1), characterized in that at least one fictitious marking element (5) on the substrate (1) is determined from design data of the substrate (1), where the fictitious marking element (5) is unique for a predefined area of the substrate (1), and in that ~~as claimed in claim 1, characterized in that~~ for determining the marking element from the design data at least one of the position of components in a component layer is used, the position of tracks in an electrically conductive layer, the position of anti-soldering agent in an anti-soldering layer and/or ,and the position of text in a text layer is used.

12. (cancelled)